

REMARKS

Claims 29-38, 40-44, and 46-50 are pending in the present application. Claims 30, 40, and 46 were previously withdrawn. In the Office Action dated February 23, 2006, claims 29, 31-38, 41-44, and 47-50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 08/917,480 ("Wakayama").

The undersigned would like to thank Examiner Holzen for participating in a telephonic Examiner Interview on October 20, 2006. During the Interview, the parties agreed that although Wakayama does disclose deflecting flaps (which may change the chord length of a wing), Wakayama makes no reference to any leading edge device chord lengths, wherein the leading edge device includes at least a portion of a leading edge flap or leading edge slat.

During the interview, U.S. Patent No. 3,806,065 ("Custer") was also discussed. The parties agreed that Custer discloses an adjustable airfoil, wherein the chord length of the airfoil can be changed by using a mechanism that increases the distance between the leading edge of the airfoil and the trailing edge of the airfoil. However, Custer makes no reference to any leading edge device chord lengths, wherein the leading edge device includes at least a portion of a leading edge flap or leading edge slat.

Accordingly, it was agreed that Wakayama and Custer, singularly or in combination, do not teach or suggest, *inter alia*:

(1) At least one leading edge device including at least a portion of a leading edge flap or leading edge slat, wherein a leading edge device chord length at each of a plurality of spanwise locations is at least approximately equal to the smallest leading edge device chord length required to provide a local maximum lift coefficient, as recited by independent claim 29;

(2) A leading edge high lift means that includes at least a portion of a leading edge flap or a leading edge slat, wherein a high lift means chord length at each of a plurality of spanwise locations is at least approximately proportional to an approximately smallest high lift means chord length required to provide a local maximum lift coefficient, as recited in independent claim 35;

(3) At least one leading edge device including at least a portion of a leading edge flap or leading edge slat, wherein a leading edge device chord length at each of a plurality of spanwise locations is at least approximately proportional to a leading edge device chord length at each location determined to provide a selected spanwise distribution of aircraft angles of attack corresponding to local maximum lift coefficients, as recited in independent claim 41; or

(4) At least a portion of at least one leading edge device, the at least one leading edge device including at least a portion of a leading edge flap or leading edge slat, wherein a leading edge device chord length at each of a plurality of spanwise locations is at least approximately proportional to a leading edge device chord length at each location determined to provide a selected spanwise distribution of aircraft angles of attack corresponding to local maximum lift coefficients, as recited in independent claim 47.

Accordingly, for at least these reasons, independent claims 29, 35, 41, and 47 are patentable over both Wakayama and Custer, singularly or in combination. Claims 30-34, 36-38, 40, 42-44, 46, and 48-50 depend from claims 29, 35, 41, and 47. For this reason, and for the additional features of these claims, claims 30-34, 36-38, 40, 42-44, 46, and 48-50 are also patentable over Wakayama and Custer.

The undersigned respectfully requests that claims 30, 40, and 46 be rejoined and allowed because these claims depend from and are directed to non-elected species of allowable generic claims 29, 41, and 47, respectively.

The undersigned also respectfully requests that the Custer reference be made of record on a Form PTO-892. The Custer reference was not cited in the above referenced Office Action, but was discussed during the Examiner Interview. Accordingly, the undersigned request that this reference be made of record.

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the applied art. The applicant accordingly requests reconsideration of the application and a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned representative at (206) 359-6477.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 030048107US from which the undersigned is authorized to draw.

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Respectfully submitted,

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